

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rollin Evans	
Application No.: 10 / 765, 116	Art Unit: 2884
Filed: January 28, 2004	
Title: Data Acquisition, Control and Spectral Analysis Software for Multi-Channel Analyzers	Examiner: Gagliardi, Albert J.
Attorney Docket No.: ARA-1	

AFFIDAVIT UNDER 35 CFR 1.132

I. ROLLIN EVANS, hereby declare as follows:

1. I make this Declaration in Support of U.S. Patent Application 10/765,116, as captioned above.

2. I reside at 8801 Camino Osito NE, Albuquerque, NM, 87111

3. An apparatus embodying the invention described in the '116 disclosure was constructed and tested on or about January 2004 in New Jersey at the New Jersey State Patrol Technical Center in Trenton, New Jersey.

4. During that test, a set of test cars, where one held a radioactive source of 60 microCuries of Cesium 137, were passed by the apparatus.


5. During that test, when the test cars were driven at 75 MPH by a New Jersey State Trooper, the apparatus successfully identified the car containing the Cesium 137 with a detection rate of 100% and a false-positive rate of 0%.

6. I fully understand that I have a duty to disclose to the U.S. Patent and Trademark Office all information known to me that is material to the patentability of the

invention as defined in 37 CFR 1.56 and that failure to do so may jeopardize the validity of the application or any patent issuing thereon.

7. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: September 27, 2006


Rollin Evans